

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION

John Anthony Castro,	)	Civil Action No. 3:23-cv-4501-MGL-SVH
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	<b><u>AFFIDAVIT OF</u></b>
	)	<b><u>EVELEN HOPE WALKER</u></b>
South Carolina Elections Commission,	)	
Executive Director Howard M. Knapp,	)	
South Carolina Republican Party, and	)	
Donald John Trump,	)	
	)	
Defendants.	)	
	)	

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PERSONALLY APPEARED BEFORE ME, Evelen Hope Walker,<sup>1</sup> who first being duly sworn, deposes and state as follows:

1. I am over the age of eighteen (18) years, of sound mind, and make this affidavit based upon my personal knowledge.

2. I serve as Executive Director of the South Carolina Republican Party (the Party or the SCGOP). I have held this position with the Party since February 2016. However, I have worked on and off for the Party since 2011.

2. On June 17, 2023, the Party decided it would hold a presidential preference primary for the Republican nominee for the 2024 United States Presidential election.

3. In prior years, the Party has exercised its discretion not to hold a presidential preference primary when a popular incumbent President was seeking reelection. This occurred in 1984, 2004, and 2020.

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<sup>1</sup> I was recently married, and my new last name will be Rossi. However, as of the date of this affidavit, I have not legally changed my name.

4. The SCGOP presidential preference primary, when held, is notoriously referred to as the “First in the South.” The great attention paid to the primary based on its early position brings great benefits and influence to the Party, its members, and local organizations.

5. South Carolina’s presidential preference primary has unique characteristics and demographics that are more reflective of the national electorate at large. The primary tends to be a much stronger indicator for electing the Republican nominee for President than any other state primary or caucus, making it an important bellwether.

6. The SCGOP takes its First in the South presidential preference primary very seriously because, since 1980, South Carolina has almost always selected the eventual Republican nominee.

7. Pursuant to South Carolina law, once the Party decides to hold a presidential preference primary, the Party is permitted to charge a certification fee to persons seeking to be candidates in the SCGOP’s presidential preference primary.

8. Under the same state law, the SCGOP is required to transmit \$20,000 to the State Election Commission for each candidate the Party certifies for its presidential preference primary.

9. For its 2024 presidential preference primary, the SCGOP set its certification fee at \$50,000 per candidate.

10. As required by state law, \$20,000 of the Party’s certification fee goes to the State Election Commission to cover the filing fee for each candidate the Party certifies.

11. The SCGOP retains the remaining \$30,000 to cover costs incurred by the Party in conjunction with legitimate political activities associated with its presidential preference primary. These activities include but are not limited to:

- a. voter outreach;

- b. communications and promotion of the First in the South Primary;
- c. party building and organizing efforts; and
- d. putting on events to highlight the First in the South Primary.

12. These activities are critical to the SCGOP's operations and purpose and especially important for maintaining the primary's significance as the First in the South. The certification fee greatly enhances the SCGOP's ability to promote and coordinate its First in the South Primary.

13. The certification fee is also a necessary and important requirement because it helps the Party maintain the size of the ballot and the integrity and seriousness of the candidates.

14. On September 22, 2023, Plaintiff John Castro sent an email to the generic SCGOP email account (team@scgop.com) stating that he wanted to formally register as a 2024 Republican Presidential Candidate. He further attempted to barter with the SCGOP by offering to "dismiss the SC federal claim regarding Donald J. Trump" if the SCGOP agreed to put him on the ballot. *See Exhibit A.*

15. On September 25, 2023, I responded to Castro's email and sent him the relevant filing information including the amount of the required certification fee and that the filing fee must be paid with certified funds. *See Exhibit B.*

16. One month later, on October 25, 2023, Plaintiff sent his completed South Carolina Republican Party 2024 Presidential Primary Election Statement of Intention of Candidacy. In this Statement of Intention of Candidacy, he signed the Affirmation and had it notarized, swearing that he "will fulfill all filing requirements set by South Carolina Republican Party, including . . . the payment of a non-refundable \$50,000 filing fee." *Id.*

17. In this email, he also asked for the address to send the filing fee. *Id.*

18. Registration filing for the SCGOP's presidential preference primary ballot closed at 5:00 P.M. on October 31, 2023.

19. On October 31, the Party received a check in the mail from Plaintiff for \$50,000 written from his and his wife's personal checking account. *See Exhibit C.*

20. The "Memo" line on the check stated, "Unconstitutional Fee." *Id.*

21. Based on Castro's representation in the signed and notarized Statement of Intention of Candidacy, before depositing the check, the SCGOP released on October 31, 2023, a list of 10 candidates who registered for the Party's presidential preference primary. Castro was included on the list at that time.

22. On November 1, 2023, after the Party attempted to deposit the check into its account, the bank notified the Party the next day that it rejected the check for insufficient funds. The Party incurred a \$35 fee for attempting to deposit the check. *See Exhibit C.*

23. Based on his representations to this Court, it is my understanding that Castro intentionally bounced the check by issuing a stop payment on the check before the SCGOP could deposit it. *See ECF No. 58, at 6.*

24. No other candidate on the Party's presidential preference primary ballot complained about having to pay the certification fee.

25. Not every candidate who is still in the race registered to appear on the Party's presidential preference primary ballot. Nevertheless, to my knowledge, none of the candidates who failed to register cited the certification fee as a reason.

26. Castro has emailed the SCGOP on several occasions about this lawsuit, stamping them with the protection of Rule 408 of the Federal Rules of Evidence each time, even though

these unilateral, unsolicited missives hardly amount to good-faith compromise offers. The Party, however, does not respond to threats.

27. Castro has acted in bad faith every step of the way. He is not a serious candidate for President of the United States.


**FURTHER AFFIANT SAYETH NOT.**



Evelen Hope Walker  
Executive Director  
South Carolina Republican Party

SWORN TO AND SUBSCRIBED BEFORE ME

This 14<sup>th</sup> day of December 2023.

 (L.S.)  
Notary Public for the State of South Carolina

My Commission Expires: 8-13-2029

